

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

LOGAN PAUL,

*Plaintiff,*

v.

STEPHEN FINDEISEN AND COFFEE BREAK  
PRODUCTIONS LLC D/B/A COFFEEZILLA,

*Defendants.*

Civil Action No.: 5:24-cv-00717

**[PROPOSED] SCHEDULING ORDER**

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following  
Scheduling Order:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88(a) shall be filed by **60 days from the date of this order**. REGARDLESS OF WHETHER THE PARTIES CONCLUDE THAT ADR IS APPROPRIATE OR NOT, THE PARTIES SHALL INCLUDE THE NAME, ADDRESS AND TELEPHONE NUMBER OF A COURT APPROVED MEDIATOR OR A MEDIATOR AGREED UPON BY BOTH PARTIES IN THEIR ADR REPORT. A list of court-approved neutrals and alternative dispute resolution summary form may be obtained at <https://www.txwd.uscourts.gov/programs-services/alternative-dispute-resolution/>. If you do not have access to the internet, you may call the United States District Clerk's office at (210) 472-6550 to obtain a copy.

2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by **90 days from the date of this order** and each opposing party shall respond, in writing, by **104 days from the date of this order**.

3. The parties shall file all motions to amend or supplement pleadings or to join additional parties by **90 days from the date of this order**.

4. All parties asserting claims for relief shall FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by **150 days from the date of this order**. Parties resisting claims for relief shall FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by **180 days from the date of this order**. All designations of rebuttal experts shall be FILED, and the materials required by Fed. R. Civ. P. 26(a)(2)(B) for such rebuttal

experts, to the extent not already served, shall be SERVED, within 14 days of receipt of the report of the opposing expert.

5. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within fourteen (14) days of receipt of the written report of the expert's proposed testimony, or within fourteen (14) days of the expert's deposition, if a deposition is taken, whichever is later.

6. The parties shall complete all discovery on or before **240 days from the date of this order**. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

7. All dispositive motions shall be filed no later than **260 days from the date of this order**. The timing and page limitations for briefing on any motion shall be governed by the relevant provisions in Local Rule CV-7.

8. The parties shall mediate this case on or before **280 days from the date of this order**, unless the parties seek an order from the Court excusing them from mediation.

9. This case is set for pretrial conference on \_\_\_\_\_ [360 days from the date of this order], at \_\_\_\_\_. The parties should consult Local Rule CV-16 regarding matters to be filed in advance of a pretrial conference and/or trial.

10. This case is set for jury selection and trial on \_\_\_\_\_, **365 days from the date of this order**, at 9:30 a.m.

**SIGNED AND ENTERED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
ORLANDO L. GARCIA  
UNITED STATES DISTRICT JUDGE

AGREED:

/s/ Andrew C. Phillips  
Andrew C. Phillips

*Counsel for Plaintiff*

/s/ William R. Ogden  
William R. Ogden

*Counsel for Defendants*